

BROOKINGS COUNTY COMMISSION MEETING

Tuesday, May 3, 2005

The Brookings County Board of County Commissioners met in regular session on Tuesday, May 3, 2005, with the following members present: Dennis Falken, Mary Negstad, Donald Larson, Deanna Santema, and Emil Klavetter. Also present: Stephanie Vogel, Wm. Kelly Bakken, Robert Hill, Ted Eggebraaten, Mel Kloster, Todd Struwe, Gary Heldt, Martin Stanwick, Trish Sterud, Stacy Steffensen, and Mark Rye.

CALL TO ORDER

Chairperson Falken called the meeting to order.

CONSENT AGENDA

Chairperson Falken declared the Consent Agenda approved with no objection from the board. The Consent Agenda consisted of the agenda for the May 3, 2005 Commission Meeting, and the minutes from the April 26, 2005 Commission Meeting. Welfare Matters: Case # 05-017 for hospital was denied; Case # 05-059 for hospital was denied; Case # 05-024 for hospital was denied; Case # 05-073 for rent was approved; Case # 05-011ABCD for Cobra was approved; Case # 5-070 for rent was approved; Case # 05-050A for medication was approved. Travel/Education: Blanket Travel Request to go to Pierre, SD on May 10-12, 2005 to attend the Spring Workshop. Rose Marie Stee to go to Huron, SD on June 26-28, 2005 to attend the State 4-H Horse Show. Bart Sweebe and Susan Rufer to go to Pierre, SD on May 11-13, 2005 to attend the Advanced Jail Administrator and Senior Supervisor Training.

ROUTINE BUSINESS

Zoning and Drainage Director, Robert Hill met with the board to discuss the upcoming Zoning Board Meeting and Travel Matters.

Emergency Management Director, Todd Struwe met with the board to discuss Personnel Matters, the Sky Warn Program, and upcoming Travel.

Extension Agent, Mel Kloster met with the board to discuss upcoming Meetings, Soybean Plots, Weather Complications, and updated the board on the Department of Agriculture Meeting.

Weed and Pest Supervisor, Gary Heldt to discuss Vehicle Transmission Problems, Mister Replacements, the Gopher Program, and upcoming Educational Trainings and Meetings.

Sheriff, Martin Stanwick met with the board to discuss Court Room Security, and inquired about Key Pad Door Lock Systems.

PUBLIC HEARING

As scheduled, a public hearing was held at 9:00am for a Petition to Vacate A Portion of Brookings County Road and Public Road Right-of-Way. Chairperson Falken opened the Public Hearing and called for comments from both proponents and opponents. Chairperson Falken closed the Public Hearing.

REGULAR BUSINESS

Motion by Klavetter, seconded by Santema, to approve and authorize Chairperson Falken to sign Resolution # 05-18 a Resolution and Order Vacating a Portion of Brookings County Road and Public Right-of-Way. Roll Call Vote: Larson "Aye," Negstad "Aye," Santema "Aye," Klavetter "Aye," Falken "Aye." Motion passes.

RESOLUTION # 05-18

RESOLUTION AND ORDER VACATING A PORTION OF BROOKINGS COUNTY ROAD AND PUBLIC ROAD RIGHT-OF-WAY

WHEREAS, a petition to vacate a portion of a Brookings County Road and Public Road Right-Of-Way has been filed with the Board of County Commissioners of Brookings County, and

WHEREAS, the petition was duly filed, and the Board of County Commissioners of Brookings County has duly published Notice of Public Hearing on said Petition pursuant to SDCL 31-3-7;

WHEREAS, the Board of County Commissioners of Brookings County held a public hearing for the purpose of receiving public testimony about the proposed vacation, and

WHEREAS, the Board of County Commissioners of Brookings County having reviewed and considered the Petition and having determined, following the public hearing, that the public interest will be better served by vacating the portion of the Brookings County Road, and Public Road Right-Of-Way proposed in the petition for vacation, particularly due to reconstruction and realignment of County Road 35, NOW THEREFORE,.

IT IS HEREBY RESOLVED AND ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF BROOKINGS COUNTY that the portion of County Road and Road Right-Of-Way shown to be vacated on Exhibit "A", attached to this Resolution, lying in the South West Quarter (SW1/4) of Section Twenty-two (22) and lying in the North West Quarter (NW1/4) of Section Twenty-seven (27), all in Township One Hundred Twelve (112), Range Forty-seven (47) West of the 5th P.M., Hendricks Township, Brookings County, South Dakota, be and the same is hereby vacated.

Adopted this 3rd day of May, 2005.

Chairperson, Brookings County
Board of County Commissioners

ATTEST:

Brookings County Auditor

ROUTINE BUSINESS

Deputy Auditor, Kelly Bakken presented the board with the Auditor's Report.

Be it noted the salaries and personnel changes for the month of April 2005 are as follows: Longevity Increase: Sylvester Billet \$165.00; Krista Thompson \$45.00; Carol Glantz \$165.00; Gary Heldt \$50.00; Randy Jensen \$35.00; Larry Klingbile \$40.00; Kent Krogh \$45.00; Anne Hovey \$40.00; Scott Sebring \$35.00; Jean Stoebner \$45.00; Doris Knutson \$30.00; and Michael Erickson \$25.00. Step Raise: Cyndi Ault from \$16.10 to \$16.42; Kelly Bakken from \$14.02 to \$14.30; Anne Hovey from \$11.71 to \$11.92; Krista Thompson from \$14.55 to \$14.81; Gary Egeberg from \$10.64 to \$10.85; Randy Jensen from \$14.55 to \$14.81. Promotions: Deputy Sheriff, Stephanie McCormick @ \$14.68; Chief Deputy Sheriff, Scott Sebring @ \$43,840.00; FT Female Corrections Officer, Laura Kinslow @ \$12.05. New Hires: State's Attorney Office Assistant, Keri Whittington @ \$10.23; PT Correctional Officers, Mark Reif and Robert Mammenga @ \$11.82; Weed Control Specialists, Collin Swartos, Mike Laverman, and Al Falken @ \$10.23. Resignation: Ruth Sapp. Retirements: Sylvester Billett and Ronald Klosterman. Be it noted, the \$200.00 for the Insurance Coordinator was discontinued, as the Insurance Coordinator duties were transferred to the Human Resources Department.

Department Totals: Commission \$14,006.19 Auditor's Office \$6,964.80; Treasurer's Office \$11,632.97; States Attorney's Office \$19,918.93; Custodial Buildings \$4,522.39; Director of Equalization \$15,382.85; Register of Deeds \$7,503.83; Veteran's Service Officer \$3,214.33; Sheriff's Office \$39,230.51; County Jail \$26,598.18; Contract Law Enforcement \$6,632.11; Emergency Management \$3,436.42; Drainage \$1,220.00; Highway \$56,067.99; Welfare \$2,882.64; Community Health Nurses \$2,222.76; Women, Infants, & Children \$2,006.28; County Extension \$4,098.48; Weed Control \$6,737.66; Planning & Zoning \$3,659.98.

Be it noted, Chairperson Falken signed claims for the following—AFLAC, insurance \$2,114.66; AFLAC Flex-One \$85.00; Office of Child Support Enforcement, child support \$555.00; Delta Dental, insurance \$2,437.82; Flex One, unreimbursed medical \$1,568.50; Local Teamsters, union dues \$758.00; SDRS, retirement \$26,917.22; SDRS Supplemental, retirement \$3,455.00; EFTPS \$50,208.92; Wellmark Blue Cross, insurance \$38,380.40; Midwest Benefits, life insurance \$479.00; SDRS Special Pay Plan, pay plan and plan fee \$14,254.97.

Motion by Larson, seconded by Negstad, to approve the following Automatic Supplement for unanticipated expenses incurred and reimbursement made to Brookings County. Department: Emergency Management; Amount: \$9,038.00; Reason: Program Funding for 2004 DOJ/OJP Equipment Grant; Receipt # 91436: Line #22600X4296222. Roll Call Vote: Negstad "Aye," Santema "Aye," Klavetter "Aye," Larson "Aye," Falken "Aye." Motion passes.

REGULAR BUSINESS

Highway Superintendent, Ted Eggebraaten met with the board to present Resolutions # 05-21 and # 05-22 the following required documents for projects BRF 6050(1) and BRF 6458 (2).

Motion by Santema, seconded by Negstad, to approve and authorize Chairperson Falken to sign Resolution # 05-21 the Letting Authorization, the Utilities Certificate, and the Right-of-Way Certificate for project BRF 6050 (1), Brookings County, PCN 00CW. Roll Call Vote: Santema "Aye," Klavetter "Aye," Larson "Aye," Negstad "Aye," Falken "Aye." Motion passes.

RESOLUTION # 05-21

LETTING AUTHORIZATION FOR PROJECT NUMBER BRF 6050 (1)

In Brookings County ~ PCN 00CW

This acknowledges that the South Dakota Department of Transportation, Office of Local Government Assistance, estimates the following costs for Project Number BRF 6050 (1):

Preliminary Engineering (State)	\$ 2,500.00
Preliminary Engineering (Consultant)	\$ 21,200.00
Utilities Relocations	\$ -0-
ROW Acquisitions	\$ -0-
Structure & Grading	\$ 153,232.60
Construction Engineering	\$ 12,000.00
Estimated Total Project Cost	\$ 188,932.60

The cost of the project will be covered by 80.00% Federal participation and 20.00% County matching funds. County matching funds are payable upon billing by the State.

The South Dakota Department of Transportation is hereby authorized and requested to advertise the project for bids.

Dated this 3rd day of May, 2005.

Board of County Commissioners of Brookings County

Dennis Falken
Chairman

Janet K. Willmott
County Auditor

Motion by Negstad, seconded by Klavetter, to approve and authorize Chairperson Falken to sign Resolution # 05-22 the Letting Authorization, the Utilities Certificate, the Agreements for Voluntary Right-of-Way Donations, and the Right-of-Way Certificate for project BRF 6458 (2), Brookings County, PCN 00CW. Roll Call Vote: Klavetter "Aye," Larson "Aye," Negstad "Aye," Santema "Aye," Falken "Aye." Motion passes.

RESOLUTION # 05-22

LETTING AUTHORIZATION FOR PROJECT NUMBER BRF 6458 (2)

In Brookings County ~ PCN 00CX

This acknowledges that the South Dakota Department of Transportation, Office of Local Government Assistance, estimates the following costs for Project Number BRF 6458 (2):

Preliminary Engineering (State)	\$ 2,500.00
Preliminary Engineering (Consultant)	\$ 18,400.00
Utilities Relocations	\$ -0-
ROW Acquisitions	\$ -0-
Structure & Grading	\$ 112,554.80
Construction Engineering	\$ 9,000.00
Estimated Total Project Cost	\$ 142,454.80

The cost of the project will be covered by 80.00% Federal participation and 20.00% County matching funds. County matching funds are payable upon billing by the State.

The South Dakota Department of Transportation is hereby authorized and requested to advertise the project for bids.

Dated this 3rd day of May, 2005.

Board of County Commissioners of Brookings County

Dennis Falken
Chairman

Janet K. Willmott
County Auditor

Motion by Negstad, seconded by Santema, to approve and authorize Chairperson Falken to sign the Application for Occupancy on the Right-of-Way of County Highways. The application is made by Interstate Telecom Coop for buried telephone cable occupancy of Highway # 22 in Section 25-109-50, Project # County Road # 22. Roll Call Vote: Larson "Aye," Negstad "Aye," Santema "Aye," Klavetter "Aye," Falken "Aye." Motion passes.

Commission Assistant/Human Resource Director, Stephanie Vogel met with the board to discuss the Administrative Assistance Agreement for the Domestic Abuse Shelter CDBG Grant. Motion by Negstad, seconded by Larson, to approve and authorize Chairperson Falken sign the Administrative Assistance Agreement for the Domestic Abuse Shelter CDBG Grant, the Agreement is between First District, the Domestic Abuse Shelter Board, and Brookings County. Roll Call Vote: Negstad "Aye," Santema "Aye," Klavetter "Aye," Falken "Aye," Larson "Aye." Motion passes.

Community Health Nurse, Trish Sterud met with the board discuss the FY2006 WIC County Contract. Motion by Klavetter, seconded by Santema, to table the FY2006 WIC County Contract action until Tuesday, May 10, 2005. Roll Call Vote: Santema "Aye," Klavetter "Aye," Larson "Aye," Negstad "Aye," Falken "Aye." Motion passes.

PUBLIC HEARING

As scheduled, a public hearing was held at 9:30am for a Transfer of License and Application for Sale of Alcoholic Beverages. Chairperson Falken opened the Public Hearing and called for comments from both proponents and opponents. HR Assistant Director, Stacy Steffensen updated the board on the transfer and application. Sheriff, Martin Stanwick discussed the transfer and application with the board. Chairperson Falken closed the Public Hearing.

NOTICE OF HEARING UPON APPLICATIONS FOR TRANSFER OF LICENSE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Board of County Commissioners in and for the County of Brookings, in the City of Brookings, South Dakota, on the 3rd day of May, 2005, at the hour of 9:30 a.m., in the Commission Chambers of Brookings County, will meet in regular session to consider the following transfer application for Malt Beverage Beer License to operate outside of the municipality for the 2005-2006 licensing period, which has been presented to the Board of County Commissioners and filed in the County Auditor's Office.

- Wagon Wheel Resort, Retail/On-Off Sale, Lots 1-2 in DeBoers Add in Govt Lot 6 in Oakwood Twp

NOTICE IS FURTHER GIVEN THAT any person, persons, or their attorney may appear and be heard at said scheduled public hearing who are interested in the approval or rejection of any such application.

Dated at Brookings, South Dakota, this 21st day of April, 2005.

Janet Willmott, County Auditor

NOTICE OF HEARING UPON APPLICATIONS FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Board of County Commissioners in and for the County of Brookings, in the City of Brookings, South Dakota, on the 3rd day of May, 2005, at the hour of 9:30 a.m., in the Commission Chambers of Brookings County, will meet in regular session to consider the following application for Retail On-Sale Liquor License to operate outside of the municipality for the 2005 licensing period, which has been presented to the Board of County Commissioners and filed in the County Auditor's Office.

- Wagon Wheel Resort, Retail/On-Off Sale, Lots 1-2 in DeBoers Add in Govt Lot 6 in Oakwood Twp

NOTICE IS FURTHER GIVEN THAT any person, persons, or their attorney may appear and be heard at said scheduled public hearing who are interested in the approval or rejection of any such application.

Dated at Brookings, South Dakota, this 21st day of April, 2005.

Janet Willmott, County Auditor

REGULAR BUSINESS

Motion by Larson, seconded by Klavetter, to approve and authorize Chairperson Falken to sign the Transfer of the Uniform Alcoholic Beverage License, Retail on/off sale Malt Beverage from Sam and Joy Ater to Chris Houfek. The transfer is for the license for the business of the Wagon Wheel Bar located on Lots 1-2 in DeBoer's Addition in Government Lot 6 in Oakwood Township in Brookings County. Roll Call Vote: Klavetter "Aye," Larson "Aye," Negstad "Aye," Santema "Aye," Falken "Aye." Motion passes.

Motion by Klavetter, seconded by Larson, to approve and authorize Chairperson Falken to sign the Uniform Alcoholic Beverage License Application, Retail on-sale Liquor for Chris Houfek. The license is for the business of the Wagon Wheel Bar located on Lots 1-2 in DeBoer's Addition in Government Lot 6 in Oakwood Township in Brookings County. Roll Call Vote: Larson "Aye," Negstad "Aye," Santema "Aye," Klavetter "Aye," Falken "Aye." Motion passes.

Motion by Santema, seconded by Negstad, to declare the following property surplus property according to SDCL 6-13 to be disposed of according to SDCL 6-5-1: Lot Eleven (11) in Block Three (3), Original Plat, City of Elkton, Brookings County, South Dakota and Lot Two (2) and the North One-half (N1/2) of Lot Three (3) in Block Five (5), Original Plat, City of Elkton, Brookings County, South Dakota. Roll Call Vote: Negstad "Aye," Santema "Aye," Klavetter "Aye," Larson "Aye," Falken "Aye." Motion passes.

Motion by Negstad, seconded by Klavetter, to approve and authorize Chairperson Falken to sign Resolution # 05-19 a Resolution Authorizing the Gratuitous Transfer of Real Property to the City of Elkton. Roll Call Vote: Santema "Aye," Klavetter "Aye," Larson "Aye," Negstad "Aye," Falken "Aye." Motion passes.

RESOLUTION # 05-19

A RESOLUTION AUTHORIZING THE GRATUITOUS TRANSFER OF REAL PROPERTY TO THE CITY OF ELKTON

WHEREAS, Brookings County owns the following real property:

Lot Eleven (11) in Block Three (3), Original Plat, City of Elkton, Brookings County, South Dakota.

WHEREAS, such real property was acquired by Tax Deed dated June 5, 2000, filed June 5, 2000, and recorded in Book 132 of Deeds, page 4, in the office of the Brookings County Register of Deeds..

WHEREAS, the City of Elkton has indicated an interest in such real property, and

WHEREAS, it appears advisable and in the best interests of the public to convey such real property to the City of Elkton pursuant to SDCL 6-5-2 and 6-5-3.

THEREFORE BE IT RESOLVED by the Brookings County Board of County Commissioners, that the following described real property be gratuitously conveyed and transferred to the City of Elkton, South Dakota.

Lot Eleven (11) in Block Three (3),
Original Plat, City of Elkton,
Brookings County, South Dakota.

and the Chairperson of the Board of County Commissioners is authorized to execute a Quit Claim Deed to the City of Elkton to complete such transfer.

Adopted this 3rd day of May, 2005.

Chairperson, Brookings County
Board of County Commissioners

ATTEST:

Brookings County Auditor

Motion by Santema, seconded by Negstad, to approve and authorize Chairperson Falken to sign Resolution # 05-20 a Resolution Authorizing the Gratuitous Transfer of Real Property to the City of Elkton. Roll Call Vote: Klavetter "Aye," Larson "Aye," Negstad "Aye," Santema "Aye," Falken "Aye." Motion passes.

RESOLUTION # 05-20

A RESOLUTION AUTHORIZING THE GRATUITOUS TRANSFER OF REAL PROPERTY TO THE CITY OF ELKTON

WHEREAS, Brookings County owns the following real property:

Lot Two (2) and the North One-half (N ½) of Lot Three (3) in Block Five (5), Original Plat, City of Elkton, Brookings County, South Dakota.

WHEREAS, such real property was acquired by Tax Deed dated June 5, 2000, filed June 5, 2000, and recorded in Book 132 of Deeds, page 4, in the office of the Brookings County Register of Deeds..

WHEREAS, the City of Elkton has indicated an interest in such real property, and

WHEREAS, it appears advisable and in the best interests of the public to convey such real property to the City of Elkton pursuant to SDCL 6-5-2 and 6-5-3.

THEREFORE BE IT RESOLVED by the Brookings County Board of County Commissioners, that the following described real property be gratuitously conveyed and transferred to the City of Elkton, South Dakota.

Lot Two (2) and the North One-half (N ½) of
Lot Three (3) in Block Five (5), Original Plat,
City of Elkton, Brookings County, South Dakota.

and the Chairperson of the Board of County Commissioners is authorized to execute a Quit Claim Deed to the City of Elkton to complete such transfer.

Adopted this 3rd day of May, 2005.

Chairperson, Brookings County
Board of County Commissioners

ATTEST:

Brookings County Auditor

Commission Assistant/Human Resource Director, Stephanie Vogel met with the board to discuss Personnel Matters, Sioux Valley Commissioners Association Meeting, the Extension Office MOU, Non Violent Crisis Training, SDACC Resolutions, the Security and Sound Systems in the 1921 Building.

Be it noted, the Board approved the following Personnel Action Notices: New Hires: Emergency Management Deputy Director, David Swisher; Appraiser I, Chris Lilla; GIS Student Position, Corey Beyer; Accounts Payable Officer, Krista Spence; PT Female Correctional Officer, Jessica Nustad. Resignation: PT Correctional Officer, Robert Walsh.

COMMISSIONER'S OPEN DISCUSSION

Commissioner Larson reported on the upcoming Leadership Brookings and Boy's State events.

Commissioner Negstad reported on the Domestic Abuse Shelter Meeting and Ron Klosterman's Retirement Gathering.

Commissioner Santema reported on the Swiftel Event Center Board Meeting and Ron Klosterman's Retirement Gathering.

Commissioner Klavetter reported on the Health Board Meeting.

Commissioner Falken reported on the Worker's Compensation Session and Ron Klosterman's Retirement Gathering.

ADJOURNMENT

Chairperson Falken declared the meeting adjourned until 8:30am Tuesday, May 10, 2005.

It is the policy of Brookings County, South Dakota, not to discriminate against the Handicapped in Employment or the Provision of Service. The County of Brookings is responsive to requests for communication aids and the need to provide appropriate access, and will provide alternative formats and accessible locations consistent with the Americans with Disabilities Act.

Kelly Bakken
Deputy Auditor
Brookings County Auditor's Office